



**Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: A & E Industries, Inc.

File: B-239846

Date: May 31, 1990

Prentis Davis, for the protester.

DIGEST

Agency's determination that bid was nonresponsive is proper where bid was signed with a rubber-stamp signature but was not accompanied by any evidence showing that, before bid opening, bidder had authorized the use of a rubber-stamp signature.

DECISION

A & E Industries, Inc. (AEI), protests the determination by the Navy that its bid submitted in response to solicitation No. N62791-90-B-0071 was nonresponsive because of the use of a rubber-stamp signature. AEI asserts that nothing requires the use of an original signature.

A basic rule of federal government contract law is that a bid, to be valid, must be signed. Ace Art Co., Inc., B-202353, Apr. 1, 1981, 81-1 CPD ¶ 252. Although the nature of the signature may vary, see, e.g., 48 Comp. Gen. 648 (1969), it must be recognized as sufficient to bind the bidder if the bid is accepted. Jonard Indus. Corp., B-192979, Jan. 30, 1979, 79-1 CPD ¶ 65. The regulations recognize the use of typewritten and rubber-stamp signatures, but only if the bidder, prior to bid opening, has authorized the use of such signatures and submits evidence of such authorization. See Federal Acquisition Regulation § 14.405 (FAC 84-53); Ace Art Co., Inc., supra. AEI's bid was rejected because its bid was not accompanied by any evidence showing that the use of the rubber-stamp

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signature had been authorized. Under these circumstances, rejection of the bid was proper. See Inge Ellefson, B-212785, Sept. 2, 1983, 83-2 CPD ¶ 303.

We dismiss the protest.

Ronald Berger

Ronald Berger
Associate General Counsel